

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
BALTIMORE DIVISION**

JASON ALFORD *et al.*,

Plaintiffs,

v.

THE NFL PLAYER DISABILITY &
SURVIVOR BENEFIT PLAN *et al.*,

Defendants.

Case No. 1:23-cv-00358-JRR

**DEFENDANTS' JOINT UNOPPOSED MOTION FOR LEAVE TO EXCEED PAGE
LIMITATION FOR REPLY IN SUPPORT OF MOTION TO DISMISS**

On behalf of all Defendants and pursuant to Local Rule 105.3, Defendants the NFL Player Disability & Neurocognitive Benefit Plan, the NFL Player Disability & Survivor Benefit Plan, the Bert Bell/Pete Rozelle NFL Player Retirement Plan, and the Disability Board of the NFL Player Disability & Neurocognitive Benefit Plan hereby request leave to exceed the page limitation for their reply in support of their joint motion to dismiss Plaintiffs' Amended Class Action Complaint. In support thereof, Defendants state as follows:

1. Local Rule 105.3 provides, in relevant part, that “[u]nless otherwise ordered by the Court, . . . reply memoranda shall not exceed twenty (20) pages, exclusive of (a) affidavits and exhibits, (b) tables of contents and citations, and (c) addenda containing statutes, rules, regulations, and similar material.”

2. On May 12, 2023, Plaintiffs filed their 120-page Amended Class Action Complaint (“Amended Complaint”). ECF No. 56.

3. On May 19, 2023, the Parties filed a joint motion to extend the deadlines and exceed the page limitations for Defendants' joint motion to dismiss the Amended Complaint ("Joint Motion to Dismiss") and Plaintiffs' response thereto. ECF No. 58.

4. On May 22, 2023, the Court granted that motion, ordering Defendants' Joint Motion to Dismiss be filed by June 27, 2023 and Plaintiffs' response thereto be filed by August 11, 2023. ECF No. 59. The Court enlarged the page limitations to 60 pages for both filings. *Id.*

5. On June 27, 2023, Defendants filed their 51-page Joint Motion to Dismiss. ECF No. 69.

6. On August 11, 2023, Plaintiffs filed their 61-page response on opposition to Defendants' Joint Motion to Dismiss. ECF No. 70.

7. Defendants believe that they will need more than 15 pages in order to adequately reply in support of their Joint Motion to Dismiss and to address Plaintiffs' response in opposition.

8. Accordingly, Defendants respectfully request the Court grant leave to enlarge the page limitation for their reply by an additional 10 pages.

9. On August 18, 2023, counsel for Plaintiffs informed counsel for Defendants the NFL Player Disability & Neurocognitive Benefit Plan, the NFL Player Disability & Survivor Benefit Plan, the Bert Bell/Pete Rozelle NFL Player Retirement Plan, and the Disability Board of the NFL Player Disability & Neurocognitive Benefit Plan that Plaintiffs do not oppose this relief.

10. The relief sought will not prejudice any party or cause undue waste or delay. Rather, Defendants seek this relief in good faith and in order to adequately reply in support of their Joint Motion to Dismiss and to address Plaintiffs' response in opposition thereto.

WHEREFORE, for the foregoing reasons, Defendants respectfully request leave to

exceed the page limit set forth in Local Rule 105.3 and to file a 25-page reply in support of their Joint Motion to Dismiss.

Date: August 18, 2023

Respectfully submitted,

s/ Gregory F. Jacob

Gregory F. Jacob (D. Md. Bar No. 06769)

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Plan, the Bert Bell/Pete Rozelle NFL
Player Retirement Plan, and the Disability
Board of the NFL Player Disability &
Neurocognitive Benefit Plan*

On behalf of all Defendants

CERTIFICATE OF SERVICE

I, Gregory F. Jacob, hereby certify that on August 18, 2023, I caused a copy of the foregoing document to be served upon all counsel of record via the CM/ECF system for the United States District Court for the District of Maryland.

s/ Gregory F. Jacob
Gregory F. Jacob